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4 BILL NO. Z-76-09-34

5 ZONING MAP ORDINANCE NO. Z-19-76

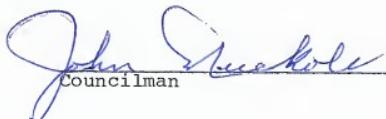
6 AN ORDINANCE amending the City of Fort
7 Wayne Zoning Map No. B-9.

8 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
9 FORT WAYNE, INDIANA:

10 SECTION 1. That the area described as follows is here-
11 by designated a B3B District under the terms of Chapter 36, Munici-
12 pal Code of the City of Fort Wayne, Indiana, 1946, as amended by
13 General Ordinance No. 2836 and amendments therof; and the symbols
14 of the City of Fort Wayne Zoning Map No. B-9, referred to therein,
15 established by Section 9, Article III of said Chapter as amended,
16 are hereby changed accordingly, to-wit:

17 Lots # 26,27 & 28 In Frickes Amended Addition to
18 the City of Fort Wayne, according to the recorded
19 plat thereof. Commonly known as 619, 621 & 625
E. State Blvd., generally located on the northwest
corner of Parnell Ave, and E. State Blvd.

20 SECTION 2. This Ordinance shall be in full force and
21 effect from and after its passage, approval by the Mayor and
22 legal publication thereof.

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34 APPROVED AS TO FORM
35 AND LEGALITY, _____

John Guckler
Councilman

CITY ATTORNEY

Read the first time in full and on motion by Huckols, seconded by Hunter, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City=County Building, Fort Wayne, Indiana, on _____, the day of _____, 1976, at _____ o'clock P.M., E.S.T.

DATE: 9-28-76

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by Burns, seconded by V. Schmidt, and duly adopted, placed on its passage.

PASSED (~~LAST~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
<u>TOTAL VOTES</u>	<u>8</u>	<input type="checkbox"/>	<input type="checkbox"/>	<u>1</u>	<input type="checkbox"/>
<u>BURNS</u>	<u>X</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>HINGA</u>	<u>X</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>HUNTER</u>	<u>X</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>MOSES</u>	<u>X</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>NUCKOLS</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>X</u>	<input type="checkbox"/>
<u>SCHIMDT, D.</u>	<u>X</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>SCHIMDT, V.</u>	<u>X</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>STIER</u>	<u>X</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>TALARICO</u>	<u>X</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATE: 10-26-76

Charles W. Westerman

CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION)

ORDINANCE (RESOLUTION) No. 3-19-76 on the 26th day of OCT, 1976.
ATTEST: Charles W. Westerman James S. Stier

CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of October, 1976, at the hour of 11:00 o'clock A. M., E.S.T.

Charles W. Westerman

CITY CLERK

Approved and signed by me this 27th day of October, 1976,
at the hour of 6:00 o'clock A. M., E.S.T.

Robert Armstrong
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on September 28, 1976, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-76-09-34; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on October 11, 1976,

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall city plan:

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held October 18, 1976.

Certified and signed this
19th day of October, 1976.


Joseph N. Adair
Secretary

J. Hold
10/26/76

*John W. Westerman
City Clerk*

Bill No. Z-76-09-34

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. B-9

have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance as PASS.

John Nuckols - Chairman

Paul M. Burns - Vice-Chairman

Vivian G. Schmidt

Winfield C. Moses, Jr.

Donald J. Schmidt

J. Hold
Paul M. Burns
Vivian G. Schmidt
Winfield C. Moses, Jr.
Donald J. Schmidt

10-26-76 CONCURRED IN
DATE CHARLES W. WESTERMAN, CITY CLERK

RECEIPT

Date

Sept 9 1976

No.

6846

Received From

Address

For

ACCOUNT

HOW PAID

AMT. OF
ACCOUNT

50

-

CASH

AMT. PAID

50

-

CHEK

580

BALANCE
DUEMONEY
ORDER

Dollars

50⁰⁰

619 621 + 625

By _____



FRIECKE

AVE.



FORT WAYNE

R-1

STATE SCHOOL



1



ERIUEDEL



— 1 —



43	45	50	35	25
E.L'S	R	135	13T	13D
3	2			
DD		143	5	
		144		
		125	9	
		126	9	
		127	9	
5				
1				
40V	40T	35T		

	30	40
	31	41
	32	42
	33	43
	34	44
	35	45
	36	46
	37	47
	38	48
	39	49
	40	50

NO

To be changed from R-1 to B-3-B

9-13-76

B - 9

L.S.

2-76-09-34

PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt No. _____

TO: COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA

Date Filed _____

Intended Use _____

I/We John E. Moser

(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana,
by reclassifying from a/an R1 district to a/an B3B district the
property described as follows:

Lots # 26, 27 & 28 in Frickes Amended Addition to the City of Fort

Wayne, according to the recorded plat thereof.

Commonly known as 619, 621 & 625 E. State Blvd.

generally located on the northwest corner of Parnell Ave. and E. State

Blvd.

(Legal Description)

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum
(51%) or more of the property described in this petition.
John E. Moser / 621 E. State, Ft. Wayne, Ind. 46805
Margaret M. Moser / 619 E. State Blvd., Ft. Wayne, Ind. 46805

(Name)

(Address)

(Signature)

Legal Description Checked By:

(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

John E. Moser

(Name)

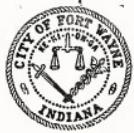
615 E. State Blvd. / 46805

483-4002

(Address)

(Telephone Number)

CITY PLAN COMMISSION, CITY-COUNTY BUILDING, Room # 880, ONE MAIN STREET, FORT WAYNE,
INDIANA, 46802 Telephone Number: 423-7571



City Clerk Memorandum
CHARLES W. WESTERMAN, Clerk

To Mayor Robert E. Armstrong Date 10-21-76
From Charles W. Westerman - City Clerk
Subject Appearance before Common Council on October 26, 1976 - 7:00 P.M.

COPIES TO:

RE: Bill No? Z-76-09-34

AN ORDINANCE amending the City of Fort
Wayne Zoning Map No. B-9

RE: Bill No. Z-76-07-15

AN ORDINANCE amending the City of Fort
Wayne Zoning Map No. BB-9

Pursuant to the request of the Standing Committee Chairman of Regulations of the Common Council, the presence of a member of City Plan familiar with the above ordinances is respectfully requested on October 26, 1976, at 7:00 o'clock P.M., Room 128, Common Council Conference Room.

Specifically, Council would like a more detailed explanation regarding the above ordinances. They would appreciate any materials or exhibits pertinent to the above bills so that they may be able to make a decision as to what action should be taken.

Your cooperation will be greatly appreciated.

Number assigned by Bill Salin's office: # 3333

Admn. Appr. _____

DIGEST SHEET

TITLE OF ORDINANCE Zoning Map Amendment Ordinance 3-76-09-34

DEPARTMENT REQUESTING ORDINANCE CITY PLAN COMMISSION

SYNOPSIS OF ORDINANCE Petitioners are requesting the rezoning
of the following described property: Lots # 26, 27 & 28 in Fricke's Amended
Addition, generally located on the northwest corner of Parnell Avenue
and E. State Blvd., commonly known as 619, 621 and 625 E. State Blvd.
From "R1" to "B3B"

EFFECT OF PASSAGE Property is presently zoned an "R1" District -
One Family Residential. Petitioners are requesting a "B3B" District -
General Business.

EFFECT OF NON-PASSAGE Property would remain an "R1" District.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) none

ASSIGNED TO COMMITTEE (J.N.) Regulation of the



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

room 122

charles w. westerman, clerk

October 28, 1976

Miss Helen Libbing
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of November 1 & 8, 1976,
in both the News Sentinel and Journal Gazette.

RE: Legal Notice of Common Council
of Fort Wayne, Indiana

Bill No. Z-76-09-35
Zoning Map Ordinance No. Z-20-76

Bill No. Z-76-09-34
Zoning Map Ordinance No. Z-19-76

Bill No. Z-76-09-31
Zoning Map Ordinance No. Z-18-76

Bill No. Z-76-09-09
Zoning Map Ordinance No. Z-17-76

Bill No. Z-76-07-15
Zoning Map Ordinance No. Z-15-76

Bill No. Z-76-09-07
Zoning Map Ordinance No. Z-16-76

Please send us five (5) copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,
Charles W. Westerman

Charles W. Westerman
City Clerk

CWW/ne
ENCL: 6



Common Council of Fort Wayne
(Governmental Unit)

To THE NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)
— number of equivalent lines

Head number of lines

Body number of lines

90

Tail number of lines

2

Total number of lines in notice

92

COMPUTATION OF CHARGES

92 lines, 1 columns wide equals 92 equivalent lines at .259¢ cents per line \$ 23.83

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

1.50

TOTAL AMOUNT OF CLAIM

\$ 25.33

DATA FOR COMPUTING COST

Width of single column 2 1/2 ems 9.9

Size of type 5 1/2 point

Number of insertions 2

Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

V.E. Gerken

Date November 8, 1976

Title

CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned V.E. GERKEN who, being duly sworn, says that she is CLERK

of the NEWS-SENTINEL
a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA town, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 times, the dates of publication being as follows:

11/18/76

Subscribed and sworn to before me this 8th day of November 1976

Notary Public

My commission expires September 28, 1979

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the foregoing is a full, true and complete copy of Zoning Map Ordinance No. Z-1976 passed by the Common Council on the 25th day of October, 1976, and that said Ordinance was duly signed and approved by the Mayor on the 27th day of October, 1976, and no copy remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 27th day of October, 1976.
CHARLES W. WESTERMAN
CITY CLERK

Common Council of Fort Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)
— number of equivalent lines

Head number of lines

Body number of lines

90

Tail number of lines

2

Total number of lines in notice

92

COMPUTATION OF CHARGES

92 lines, 1 columns wide equals 92 equivalent lines at .25¢
cents per line \$ 22.83

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two) 1.50

TOTAL AMOUNT OF CLAIM

\$ 25.33

TING COST

9.9

single column items

Size of type 5½ pointof insertions 2Size of quad upon which type is cast 5½

Division and penalties of Ch. 89, Acts 1967,

the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just part of the same has been paid.

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLE DE WALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city FORT WAYNE, INDIANA town of in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time S, the dates of publication being as follows:

11/18/76

Subscribed and sworn to before me this 8th day of November 1976

Notary Public

My commission expires September 28, 1979H COPY OF
MENT HERE

Read the third line in full and on motion by Burns, seconded by V. Schmidt and approved, passed on its passage. PASSED AND APPROVED THIS following vote:
Ayes: Eight
Burns, Hinckley, Hunter, Moses, D. Schmidt, V. Schmidt, Ster, Talarica
Nays: None
Abstain: One
Nuckles
Date: 10-26-76
Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. 2-76-27, Z-1976 on the 26th day of October, 1976.

ATTEST: (SEAL)

Charles W.
Westerman James S. Stier
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of October, 1976, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of October, 1976, at the hour of 4:00 o'clock P.M., E.S.T.
Robert E. Armstrong
Mayor

I, Charles W. Westerman, Clerk of the Common Council of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of the Zoning Map Ordinance No. 2-76-27 passed by the Common Council on the 26th day of October, 1976, and that the Ordinance was duly signed and approved by the Mayor on the 27th day of October, 1976, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 27th day of October, 1976.

CHARLES W. WESTERMAN
CITY CLERK

11-1-8

Common Council of Fort Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)
— number of equivalent lines

Head number of lines

Body number of lines

90

Tail number of lines

2Total number of lines in notice 92

92

COMPUTATION OF CHARGES

.92 lines, 1 columns wide equals .92 equivalent lines at .2594 \$ 23.83
cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount) _____

Charge for extra proofs of publication (50 cents for each proof in excess of two) 1.50

TOTAL AMOUNT OF CLAIM

\$ 25.33

DATA FOR COMPUTING COST

Width of single column 13 1/2ems

Size of type 5 1/2 pointNumber of insertions 2Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date November 8, 1976

Title CLERK

J. Ford

H COPY OF
MENT HERE

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County } as:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLE DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA town of Fort Wayne, in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time(s), the dates of publication being as follows:

11/1-8/76

Subscribed and sworn to before me this 8th day of November 1976

Notary Public

My commission expires September 28, 1979

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Zoning Map Ordinance No. Z-1976, adopted by the Common Council on the 26th day of October, 1976, and that said Ordinance was duly signed and approved by the Mayor on the 27th day of October, 1976, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 27th day of October, 1976.
CHARLES W. WESTERMAN
CITY CLERK